

LEE COUNTY

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REGULAR MEETING
OF THE
LEE COUNTY BOARD OF COMMISSIONERS
106 HILLCREST DRIVE
SANFORD, NORTH CAROLINA 27330

FEBRUARY 2, 2015

The regular meeting of the Board of Commissioners for the County of Lee, State of North Carolina, convened at 4 p.m. in the Commissioners' Room, First Floor, Lee County Government Center, 106 Hillcrest Drive, Sanford, North Carolina, on said date. Commissioners present when the meeting was called to order were Amy M. Dalrymple, Dr. Ricky D. Frazier, Larry "Doc" Oldham, Robert T. Reives, and Timothy S. Sloan. Commissioner Kirk D. Smith arrived at 4:04 p.m., and Commissioner Dr. Andre Knecht arrived at 4:09 p.m.

Chair Dalrymple called the meeting to order and the following business was transacted:

Commissioner Sloan delivered the invocation.

The pledge of allegiance was recited.

The Board considered additions/changes to the Agenda. Chair Dalrymple added a report from the County Manager on a recent meeting with DENR. With no other changes made, Commissioner Frazier moved to approve the *Agenda* as amended. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Oldham, Reives, and Sloan
Nay: None
Absent: Knecht and Smith

The Chair ruled the motion had been adopted unanimously.

Commissioner Sloan moved to approve the *Consent Agenda* which consisted of the following items:

- Minutes from the January 20, 2015 regular meeting,
- Appointments and re-appointments to the Juvenile Crime Prevention Council, and
- Purchase of a new replacement vehicle for the Jail Transportation fleet.

Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Oldham, Reives, Sloan, and Smith
Nay: None
Absent: Knecht

The Chair ruled the motion had been adopted unanimously.

Pursuant to N.C. General Statute §153A-52.1, the Chair opened the floor for *Public Comments*. The following signed up to speak and were allowed 3 minutes for comments:

1. Ms. Terica Luxton, 3616 Lee Avenue, Sanford (fracking & coal ash)
2. Ms. Keely Wood, 363 Angel Road, Sanford (fracking & coal ash)
3. Ms. Deb Hall, 957 Cumnock Road, Sanford (fracking & coal ash)
4. Mr. Keith Clark, 212 Acorn Drive, Sanford (oil and gas development)
5. Mr. George Birchard, 2200 Lakeland Drive, Sanford (fracking)
6. Mr. Jim Womack, 1615 Boone Trail Road, Sanford (oil & gas development)
7. Ms. Debra Champion, 2222 Healing Acres Lane, Carthage (fracking)

The Board considered the repair/re-building of the Nature Center at San Lee Park. At the January 20th meeting, County Manager John Crumpton reviewed with the Board options for rebuilding the Nature Center at San-Lee Park that was destroyed by fire on November 28, 2014. Since that date, Risk Management and Administrative staff have been working with the North Carolina Association of County Commissioners (NCACC) on the insurance claim. During the review of the claim and damage, staff discussed the benefits of re-building within the existing building or moving to a different site in the Park and building a new facility. After discussion, Commissioner Smith moved to demolish the old Nature Center at San-Lee Park and order a study to have a new building constructed on another site in the Park using money from fund balance and the sale of the Colon Road Lift Station from the City of Sanford. Mr. Crumpton stated net to the County for a new building, after insurance is paid, will be between \$720,000 - \$750,000. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Oldham, Reives, Sloan, and Smith
Nay: None

The Chair ruled the motion had been adopted unanimously.

The Board considered rescinding a Resolution approved on April 4, 2012 Supporting Extraction of Natural Gas in North Carolina. Chair Dalrymple asked the Board to consider rescinding the Resolution. Commissioner Oldham moved to approve rescinding of *Resolution Dated April 4, 2012 Supporting Extraction of Natural Gas in North Carolina*, a copy of which is attached to these Minutes and by this reference made a part hereof. Commissioner Smith stated the Sanford-Lee County Partnership for Prosperity (SLCPP) agreed at one time to support gas exploration in Lee County; rescinding this Resolution will split the County. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Oldham, Reives, and Sloan
Nay: Knecht and Smith

The Chair ruled the motion had been adopted by a 5 to 2 vote.

The Board considered a Resolution Opposing Natural Gas Extraction and the Rules Drafted by the North Carolina Mining and Energy Commission. Chair Dalrymple stated the Mining and Energy Commission drafted rules that will be addressed in the upcoming legislative session, which if approved, will allow permits to be issued for the extraction of natural gas in North Carolina. Neither the legislation

nor the draft rules addresses the impact of hydraulic fracturing and the extraction of natural gas on local economies or local infrastructure. The proposed Resolution asks the local delegation, as well as Legislative leaders, to oppose the draft rules from the Mining and Energy Commission. Commissioner Smith was concerned we would be sticking fingers in legislators' eyes if the Resolution is approved. Chair Dalrymple stated the Board had to speak for the citizens of Lee County before rules are voted on in the legislation. After discussion, Commissioner Frazier moved to approve a *Resolution Opposing Natural Gas Extraction and the Rules Drafted by the North Carolina Mining and Energy Commission*, a copy of which is attached to these Minutes and by this reference made a part hereof. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Oldham, Reives, and Sloan
Nay: Knecht and Smith

The Chair ruled the motion had been adopted by a 5 to 2 vote.

The Board heard a presentation from Duke Energy representative Evans Taylor in reference to the *Duke Energy Neighborhood Energy Saver Program* that offers free energy-saving home improvements to selected communities. Duke Energy chooses communities where the program would be most beneficial by targeting low-income neighborhoods. Qualified customers receive a free walk-through assessment of their home and an energy specialist identifies opportunities for energy savings. Based upon the needs of the home, customers can then receive up to \$210 in energy-saving improvements. Improvements and installation are completely free to the customer. The resident will also receive education on energy efficiency techniques and is encouraged to make behavior changes that will help them reduce and control their energy usage. Duke staff have been going into the selected areas to let citizens know of the upcoming program. A dinner will be held Thursday, February 5th at Lee Senior High School, for citizens in selected areas, to explain the program more in detail. It was noted that Duke Energy will be working with Johnston-Lee-Harnett Community Action on this project. No action was taken.

Mr. Rodger Sauls, Executive Director of the Sanford-Lee County Partnership for Prosperity presented a quarterly report/update on the Partnership. Mr. Sauls stated that for the past two years, local business leaders and elected officials have participated in a planning process that resulted in the newly proposed Program of Work. Thanks to those efforts, the Partnership now has a path to move forward to position the community for future success. Policies and procedures have been put in place. New Board Orientation was held in early January and the first full Board meeting was held on January 21, 2015, with 27 voting members and 8 ex-officio non-voting members. Work has begun on the relocation into the Buggy Factory that will be completed by the end of 2015. In November a company was selected to assist with marketing name, logo, letterhead, business cards, brochure, website development and photography. Plans are in process to develop contents for a retail marketing piece. The original target campaign of \$900,000 - \$1,000,000 was surpassed and \$1,200,000 was raised over five years to support proactive marketing and recruitment efforts. To date there are fifty (50) total investors. The Partnership has received twelve (12) inquiries since October 1, 2014, with the largest project at \$87 million and 180+ jobs. Nine (9) responses with sites or buildings that met project parameters were received. Businesses continue to be visited as part of the Existing Business Retention & Expansion Project. Mr. Sauls thanked Commissioners for their assistance in helping to facilitate the new organization. No action was taken.

The Board considered the Tax Lien Advertisement for Delinquent 2014 Real Property Taxes. Tax Administrator Mary Yow stated that General Statute §105-369(a) requires the tax collector to report to the governing board unpaid real property taxes for the current fiscal year. The governing board must order the tax collector to advertise the tax liens and file a copy of the report with the Clerk to the Board.

The list of unpaid taxes will be in *The Sanford Herald* no sooner than March 10, 2015. After discussion, Commissioner Frazier moved to approve for the tax collector to advertise 2014 delinquent real property taxes per statute in *The Sanford Herald*. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Oldham, Reives, Sloan, and Smith
Nay: None

The Chair ruled the motion had been adopted unanimously.

The Board considered a Resolution Authorizing Retirement of K-9 Dog "Oskar". Captain John Holly from the Sheriff's Department stated "Oskar" has performed his duties faithfully and diligently for the past six (6) years but is no longer physically able to perform as a drug detection dog due to a stomach condition and other health concerns. It is the Sheriff's Department desire to transfer the care and keeping of Oskar to his handler, Deputy Ken Gilstrap, who has worked and trained with the dog. With this retirement, it will allow Oskar to retire to a familiar environment in the care of his handler who is familiar with his training and permits an ownership transfer of the K-9 dog that does not endanger public health and safety. Once ownership is transferred, Deputy Gilstrap will resume custody of the dog and assume all liability and responsibility for the care of the animal for the remainder of its life. After discussion, Commissioner Smith moved to approve a *Resolution Retiring Drug Detection K-9 Dog "Oskar" and transfer ownership to his handler, Deputy Ken Gilstrap*, a copy of which is attached to these Minutes and by this reference made a part hereof. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Oldham, Reives, Sloan, and Smith
Nay: None

The Chair ruled the motion had been adopted unanimously.

The Board considered a Resolution Authorizing Retirement of K-9 dog "Buvi". Captain John Holly stated that Buvi is a drug detection K-9 dog that has performed his duties faithfully and diligently to both the Lee County Schools and the Lee County Sheriff's Office for the past ten (10) years. Buvi is twelve (12) years old, and due to his age, is no longer physically able to perform as a drug detection dog. Since he was specifically trained in certain law enforcement procedures it is felt it is best to transfer ownership to his handler Reserve Deputy David Prevatte. This will allow Buvi to retire to a familiar environment in the care of his handler who is familiar with his training and permits an ownership transfer of the K-9 dog that does not endanger public health and safety. After discussion, Commissioner Smith moved to approve a *Resolution Retiring Drug Detection K-9 Dog "Buvi" and transfer ownership to handler, Reserve Deputy David Prevatte*, a copy of which is attached to these Minutes and by this reference made a part hereof. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Oldham, Reives, Sloan, and Smith
Nay: None

The Chair ruled the motion had been adopted unanimously.

County Manager John Crumpton gave an update from the January 28th Joint Interlocal Committee meeting. It was noted there is a balance of \$2,400 in the water fund from the transfer of the water system to the City of Sanford. Commissioner Sloan moved for the County to pay for the placement of a fire hydrant at the intersection of Salem Church-Buckhorn Road-Avents Ferry Road. An additional \$2,200 would be required from the County (plus \$2,400 from the water fund) for this hydrant. Commissioners Frazier and Reives stated they would like to look at what other hydrants are needed across the County. After further discussion, Commissioner Sloan withdrew his motion until Donald

Andrews, Chair of the Fire Advisory Board, can give the Board a report on a number as to how many other hydrants needed, and to get a cost from the City for installation.

Mr. Crumpton gave a report on a recent meeting with DENR in reference to the Colon Road coal ash site, a copy of which is attached to these Minutes and by this reference made a part hereof. Commissioner Reives moved to get a formal request for a definition of what "reclamation" is from the Solid Waste Division of DENR as it relates to the Colon Road coal ash site. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Oldham, Reives, Sloan, and Smith
Nay: None

The Chair ruled the motion had been adopted unanimously.

With no further business to come before the Board, Commissioner Frazier moved to adjourn the meeting. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Oldham, Reives, Sloan, and Smith
Nay: None

The Chair ruled the motion had been adopted unanimously and the meeting adjourned at 5:48 p.m.

ATTEST:

Amy M. Dalrymple, Chair
Lee County Board of Commissioners

Gaynell M. Lee, Clerk to the Board